

ACTION AGENDA

Monday, February 13, 2012

Committee of the Whole

Regular Meeting

COMMITTEE OF THE WHOLE AGENDA

1. CALL TO ORDER, 5:00 P.M.

Councilmember Wythe has requested excusal.

Mayor Hornaday called the meeting to order at 5:00 p.m.

2. AGENDA APPROVAL (Only those matters on the noticed agenda may be considered, pursuant to City Council's Operating Manual, pg. 5)

The agenda was approved by consensus of the Council.

3. REGULAR MEETING AGENDA

5. COMMENTS OF THE AUDIENCE

There was one who commented.

6. ADJOURNMENT NO LATER THAN 5:50 P.M.

Mayor Hornaday adjourned the meeting at 5:35 p.m.

REGULAR MEETING AGENDA

Session 12-05 a Regular Meeting of the Homer City Council was called to order on February 13, 2012 at 6:00 p.m. by Mayor James C. Hornaday at the Homer City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska, and opened with the Pledge of Allegiance.

PRESENT: COUNCILMEMBERS: HOGAN, HOWARD, LEWIS, ROBERTS,
ZAK

ABSENT: COUNCILMEMBERS: WYTHE (excused)

STAFF: CITY MANAGER WREDE

CITY CLERK JOHNSON
CITY ATTORNEY KLINKNER
CITY PLANNER ABOUD
COMMUNITY AND ECONOMIC
DEVELOPMENT COORDINATOR KOESTER
PORT AND HARBOR DIRECTOR HAWKINS
PUBLIC WORKS DIRECTOR MEYER

Councilmember Wythe has requested excusal.

Mayor Hornaday declared Councilmember Wythe as excused and there was no objection from the Council.

Council met as a Committee of the Whole from 5:00 p.m. to 5:35 p.m. to discuss Regular Meeting Agenda items.

Department Heads may be called upon from time to time to participate via teleconference.

2. AGENDA APPROVAL

(Addition of items to or removing items from the agenda will be by unanimous consent of the Council. HCC 1.24.040.)

The agenda was approved by consensus of the Council with the following changes:
ANNOUNCEMENTS/PRESENTATIONS/BOROUGH REPORT/COMMISSION REPORTS – Mayor’s Summary of Juneau Trip, February 7 – 9, 2012.

3. PUBLIC COMMENTS UPON MATTERS ALREADY ON THE AGENDA

There were four who commented.

4. RECONSIDERATION

5. CONSENT AGENDA

(Items listed below will be enacted by one motion. If separate discussion is desired on an item, that item may be removed from the Consent Agenda and placed on the Regular Meeting Agenda at the request of a Councilmember.)

- A. Homer City Council unapproved Special and Regular Meeting minutes of January 23, 2012. City Clerk. Recommend adoption.

- B. **Memorandum 12-018**, from Deputy City Clerk, Re: Liquor License Renewal for Kharacters, AJ's Oldtown Steakhouse & Tavern, Grog Shop East End, Happy Face, Homer Brewing Company. Inc., and Frosty Bear Ice Cream Parlor & Crabbies Seafood.

APPROVED without discussion.

6. VISITORS

- A. **Miranda Weiss**, HoPP, Update on the Karen Hornaday Park Playground Project, 10 minutes.

Miranda Weiss provided an update on the playground project and acknowledged the people contributing to the project's success. Soldotna Mayor Peter Micciche advocated for the project and provided an overview of a similar playground improvement in Soldotna.

7. ANNOUNCEMENTS/PRESENTATIONS/BOROUGH REPORT/COMMISSION REPORTS

- A. **Mayor's Proclamation** - Brother Asaiah Bates Day – February 14, 2012

Mayor Hornaday read the proclamation.

- B. Mayor's Summary of Juneau Trip, February 7 – 9, 2012

- C. Borough Report

Kenai Peninsula Borough Assemblyman Bill Smith reported the Homer delegation did a fine job in Juneau and was well received. The main topic was the gas line with the message from administration that if not too much money was spent it would not be vetoed. The more the City can get its core area development together the stronger the case will be. There should be significant assistance for the project in Juneau.

Assemblyman Smith stated the Assembly has not taken a position on HB184.

- D. Commissions/Board Reports:

1. Library Advisory Board
2. Homer Advisory Planning Commission
3. Economic Development Advisory Commission
4. Parks and Recreation Advisory Commission

Parks and Recreation Advisory Commissioner Robert Archibald reported the commission has just revised their strategic plan and has three committees: Karen Hornaday Park, Kachemak Drive Path Committee, and the Spit Campground Committee. The most active is the Karen Hornaday Park Committee. They have been struggling for some time with the Friends of Woodard Creek to see the things they want to happen at the park. The commission is happy to see HoPP come along and recommended to fund the group. HoPP is a dynamic group and it will be another step in keeping the park up. The commission has discussed the park host volunteer program due to vandalism and the investment at Karen Hornaday Park. The commission hopes to make more recommendations for funding at the park as other big entities require repairs.

5. Port and Harbor Advisory Commission

Councilmember Hogan reported he attended the International Pacific Halibut Commission (IPHC) meeting in Anchorage on his own will. Although we lobbied for the meeting in Homer from the large turnout he doesn't think Homer could handle it. The IPHC has been overestimating the biomass for a long time. There are intended harvest restrictions for the next year. The commercial sector will have nearly a 20% cut from last year, a big impact to our halibut landings. At an industry section meeting he was cornered by advocacy groups of the fishermen's organizations. They asked him to bring a message to the Council. This year Homer was made the #2 port and unless they see a demonstration that Homer supports the commercial industry they will make us #4. He invited them to speak to Council directly. The perception is that Homer is anti-commercial. We need to pay attention to the message and address it in a positive manner.

The resource is in trouble, the big issue is the size rate ratio in female halibut. There was a proposal to implement an upper size limit on commercial halibut this year or next year. Seventy-two or 60 inch halibut will be top end.

8. PUBLIC HEARING(S)

A. Crittenden Drive Reconstruction and Paving Improvement District

There was no public testimony.

B. Ordinance 12-05, An Ordinance of the City Council of Homer, Alaska, Authorizing the Purchase of Kenai Peninsula Borough Parcel No. 17714019 (Lot 2, Glacier View Subdivision No. 18), in the Amount of \$260,000 from the General Fund Balance for the

Purpose of Providing Land for Future Expansion of the City Public Works Complex. City Manager. Introduction January 23, 2012, Public Hearing and Second Reading February 13, 2012.

Memorandum 12-012 from City Manager as backup.

There was no public testimony.

Council adjourned to Executive Session at 6:47 p.m. and reconvened at 6:58 p.m.

Acting Mayor Pro Tempore Roberts reported Council spoke with the City Attorney and City Manager and gave them direction as to how to proceed on this matter.

FAILED with discussion.

9. ORDINANCE(S)

- A. **Ordinance 12-06**, An Ordinance of the City Council of Homer, Alaska, Amending the Karen Hornaday Park Project Budget Established via Ordinance 11-22 by Appropriating an Additional \$50,000 for Playground Equipment and Materials and Providing that Future Budget Amendments be Made by Resolution. City Manager/Parks and Recreation Advisory Commission. Recommended dates: Introduction February 13, 2012, Public Hearing and Second Reading February 27, 2012.

Memorandum 12-019 from Parks and Recreation Advisory Commission as backup

ADOPTED without discussion.

- B. **Ordinance 12-07**, An Ordinance of the City Council of Homer, Alaska, Amending the FY 2012 Operating Budget by Appropriating and Transferring \$81,000 from the General Fund Reserve (Fund Balance) to the City Hall Complex Budget for the Purpose of Acquiring New Furniture at City Hall. City Manager. Recommended dates: Introduction February 13, 2012, Public Hearing and Second Reading February 27, 2012.

Memorandum 12-023 from City Manager as backup.

ADOPTED without discussion.

- C. **Ordinance 12-08**, An Ordinance of the City Council of Homer, Alaska, Accepting and Appropriating a Commercial Vessel Passenger Tax Program Pass Through Grant from the Kenai Peninsula Borough for FY 2009 and FY 2010 in the Amount of \$35,512.50, and Authorizing the City Manager to Execute the Appropriate Documents. City Manager.

Recommended dates: Introduction February 13, 2012, Public Hearing and Second Reading February 27, 2012.

ADOPTED without discussion.

- D. **Ordinance 12-09**, An Ordinance of the City Council of Homer, Alaska, Amending the FY 2012 Operating Budget by Appropriating \$27,275.01 (in Equal Amounts from the Public Works, Water and Sewer Reserve Accounts) for the Purchase of a Used Skid-Mounted Steamer Equipment Unit. City Manager/Public Works Director. Recommended dates: Introduction February 13, 2012, Public Hearing and Second Reading February 27, 2012.

Memorandum 12-024 from Public Works Director as backup.

ADOPTED with discussion.

- E. **Ordinance 12-10**, An Ordinance of the City Council of Homer, Alaska, Enacting Homer City Code Chapter 21.27, East End Mixed Use District, Amending Homer City Code 21.10.010, Zoning Districts, and Amending the Homer Zoning Map to Rezone Portions of the Rural Residential, General Commercial One and General Commercial Two Zoning Districts to East End Mixed Use. Planning. Recommended dates: Introduction February 13, 2012, Public Hearing and Second Reading February 27, 2012.

Memorandum 12-021 from City Planner as backup.

ADOPTED without discussion.

10. CITY MANAGER'S REPORT

A. City Manager's Report

1. Memorandum from Port and Harbor Director, Re: End of 2011 Year Update & Upcoming 2012 Projects

Port and Harbor Director Bryan Hawkins provided a report on the 2011 and proposed 2012 projects for the port. A PowerPoint presentation on the different projects accompanied his report.

B. Games Report

C. Records Inventory Report

11. CITY ATTORNEY REPORT

There were no questions asked of the attorney.

12. COMMITTEE REPORT

- A. Public Arts Committee
- B. Transportation Advisory Committee
- B. Permanent Fund Committee

Permanent Fund Committee Chair Howard reported the committee will present their recommendation to readopt the Permanent Fund investment policies at the March 26th council meeting.

- D. Lease Committee
- E. Port and Harbor Improvement Committee

Port and Harbor Improvement Committee Chair Howard reported the committee will make their presentation to the Port and Harbor Advisory Commission on February 22nd. It will bring the commission up to speed as there are good numbers for the projects and good information.

- F. Employee Committee Report

13. PENDING BUSINESS

- A. **Resolution 12-008**, A Resolution of the City Council of Homer, Alaska, Approving a Cooperative Agreement Between the Alaska Department of Fish and Game, Division of Sport Fish, and the City of Homer, Regarding Repair, Replacement, and Rehabilitation of Infrastructure and Facilities at the Homer Load and Launch Ramp. City Manager/Port and Harbor Director. (*Postponed from January 23, 2012*)

MOTION ON THE FLOOR FROM JANUARY 23RD: Motion for the adoption of Resolution 12-008 by reading of title only.

ADOPTED with discussion.

14. NEW BUSINESS

15. RESOLUTIONS

- A. **Resolution 12-012**, A Resolution of the City Council of Homer, Alaska, Amending the Port and Harbor Advisory Commission Bylaws Regular Meeting Time to be 5:00 p.m. in the Months of September through April and 6:00 p.m. in the Months of May, June, July, and August. City Clerk.

Memorandum 12-022 from Port and Harbor Advisory Commission as backup.

ADOPTED without discussion.

- B. **Resolution 12-013**, A Resolution of the Homer City Council Expressing Support for the Homer Playground Project Proposal to Construct a New Playground at Karen Hornaday Park During a "Build Week" Scheduled for May 21-27, 2012, and Encouraging Community Participation. City Manager/Parks and Recreation Advisory Commission.

Memorandum 12-020 from Parks and Recreation Advisory Commission as backup.

ADOPTED without discussion.

- C. **Resolution 12-014**, A Resolution of the Homer City Council Approving a Mutual Aid Agreement Between the City of Homer Fire Department and Anchor Point Fire and Emergency Medical Service Area. City Manager/Fire Chief.

ADOPTED without discussion.

- D. **Resolution 12-015**, A Resolution of the City Council of Homer, Alaska, Expressing Support for the Kenai Peninsula Economic Development District 2013 Economic Outlook Forum to Meet in Homer. Mayor/Zak.

ADOPTED with discussion.

- E. **Resolution 12-016**, A Resolution of the City Council of Homer, Alaska, Expressing Support for House Bill 184 Relating to the Sharing of Tax Revenue from the Fisheries Business Tax and Fishery Resource Landing Tax with Municipalities; and Providing for an Effective Date. City Manager.

ADOPTED without discussion.

16. COMMENTS OF THE AUDIENCE

There was one who commented.

17. COMMENTS OF THE CITY ATTORNEY

City Attorney Klinkner had no comment.

18. COMMENTS OF THE CITY CLERK

City Clerk Johnson had no comment.

19. COMMENTS OF THE CITY MANAGER

City Manager Wrede reported Council accepted \$450,000 in grant money for the Kachemak Drive Water and Sewer project. Public Works Director Meyer found out that project might not be eligible for grant monies, but other water and sewer projects on the Water and Sewer Master Plan will be eligible. At a future meeting he will provide a recommendation of the projects that may be used for the matching grant.

20. COMMENTS OF THE MAYOR

Mayor Hornaday had no comment.

21. COMMENTS OF THE CITY COUNCIL

Councilmember Zak wished everyone a Happy Valentines Day. He referenced things to do in your neighborhood that were listed in the employee newsletter like shoveling around fire hydrants.

Councilmember Hogan referenced Resolution 11-094(S) and apologized to apartment owners that it was adopted without comments. He is concerned that Council didn't notice significant changes in the substitute resolution and would like Council to revisit it. It is unfair to the public, especially since Council has refused to consider charging for free water on the floats. It really affects the apartment owners that have leases and can't pass the extra cost on to their tenants. It is bad faith on the part of the Council to issue such an onerous change.

Councilmember Lewis commented that this weekend Homer Hockey sent two teams to Anchorage to participate in the presidential tournament. The Pee Wee's took first place and the Bantams took second.

Councilmembers Roberts and Howard had no comment.

22. ADJOURNMENT

There being no further business to come before the Council, Mayor Hornaday adjourned the meeting at 7:24 p.m. The next Regular Meeting is Monday, February 27, 2012 at 6:00 p.m. and Committee of the Whole 5:00 p.m. All meetings scheduled to be held in the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.